

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

EMIL CONOR HOHMANN,	:	CIVIL NO. 1:15-CV-2194
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, JUDGE	:	
JOSEPH S. LINDSEY, DISTRICT	:	
ATTORNEY ED MARSICO,	:	
LOWER PAXTON TOWNSHIP	:	
OFFICER SCOTT STAR,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 5th day of January, 2016, upon consideration of *pro se* plaintiff's failure to pay the statutory filing fee or submit a proper application to proceed *in forma pauperis* within the specified time period, see (Doc. 3, Administrative Order) (warning that failure to submit the filing fee or proper application to proceed *in forma pauperis* within a specified time period would result in dismissal of this action), and it appearing that plaintiff refuses to comply with the terms of the Administrative Order, and that plaintiff clearly has no intention of paying the filing fee or submitting a proper application to proceed *in forma pauperis*, as evidenced by his recent filings, see (Docs. 4, 5, 6, 7, Writ of Error Objecting & Dismissing Order for Payment and Change of Filing, Affidavit, Writ of Mandamus, Addendum) (collectively challenging, *inter alia*, the court's authority to

impose filing fees, and arguing that filing fees in general are unconstitutional), and upon further consideration of plaintiff's petition (Doc. 9) for writ of mandamus, wherein plaintiff "demand[s] a court order to compel the clerk to file plaintiff[']s case at no charge" (Id. at p. 4), and the court concluding that plaintiff's petition for writ of mandamus is properly construed as a request to proceed without paying the filing fee, it is hereby ORDERED that:

1. The above-captioned action is DISMISSED without prejudice for failure to pay the filing fee or submit a proper application to proceed *in forma pauperis*.
2. The petition (Doc. 9) for writ of mandamus is CONSTRUED as a request to proceed without paying the requisite filing fee and is DENIED as so construed.
3. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania